

**MINUTES
DAYTON PLANNING COMMISSION
MEETING FEBRUARY 11, 2021**

PRESENT: Jim Maguire
Ann-Marie Anderson
Tim Parsons
Larry Smurthwaite

ABSENT:

STAFF: Kiel Jenkins, Associate Planner
Cyndi Park, Library Director/Planning Coordinator

CALL TO ORDER

Chairperson Jim Maguire called the meeting to order at 6:33 p.m.

APPROVAL OF ORDER OF AGENDA

Chairperson Maguire noted that the Commission would be approving the minutes of the January 21, 2021 meeting rather than the December 17, 2020 meeting that was indicated in the packet. No other changes were noted.

APPEARANCE OF INTERESTED CITIZENS

Judy Gerrard of 305 Main St was present to present comments from the members of the Historic Preservation Committee (HPC). Ms. Gerrard explained that the recommendations from the HPC were modeled after recommendation from Oregon's Main Street Program. Ms. Gerrard addressed lighted signs first. The recommendations were: no signs that are made to be lit up from the inside of the sign, shine light on exterior signs with focused light fixtures that prevent light or glare to shine or spill above the sign or onto adjacent property. The next recommendation was to limit neon/LED to small interior "Open", avoid neon/LED signs for products, business identification, advertising, etc. In residential zones, no lighting of signs; no neon or LED. For properties in or adjacent to properties in historic overlay zone, including those properties separated by a public right of way from historic overlay, home, or area – no lighting, no neon/ LED. No flashing or blinking signs, anywhere. Limit electronic message boards to City or other public, no electronic billboards.

Awnings -limit signage to the awning skirt and prohibit back-lit, translucent awning signs.

Sandwich boards - limit to one per business, size 2ftx4ft, and out of foot traffic area.

All signs - provide limits for size of signs, or the max square footage for signs on walls or windows of businesses – downtown, and any other areas of the city. Address hanging signs that are perpendicular to a building, size, placement, etc. No highly reflective or fluorescent colors, e.g., Day-Glo paint

Signs on homes - Small - 3-4 square feet. No lighting. Hanging sign ok – 1.5 sq ft or smaller. One sign per home. Home occupations should be unobtrusive and incidental to the use of the dwelling as a home.

Bed & Breakfast - Most are residential homes (if we have any) and need to blend in with other homes. Keep smaller, limit size to 6 - 8 square feet; allow 1 sign; material should be non-plastic, preferably wood. Lighting of sign as per what we said above, and off at 9 pm.

Flags, banners, etc. - wispy, flimsy; generally, are frameless – whether freestanding or appended to utility posts or walls, generally allow by special permit only, for special event or time limited use. Flags – only those for government entities that still exist today, pennants and other attention getting devices – not allow.

Dealing with current signs that will be non-compliant – abate, do not grandfather in. Provide 5 to 6 years to come into compliance.

Consider special sign corridors – Ferry St, and 3rd Street – that are the entrance ways into and through town, the visual corridors that can be enhanced by quality signage that conveys the special, welcoming environment that is our community. Find a way to allow Kayak Rental to put sandwich board ‘wayfinding sign’ at 3rd and Ferry. Allow City to remove abandoned signs; and write in language about maintaining signs.

No other citizens were present for comment.

APPROVAL OF MINUTES

Chairperson Maguire asked for a motion to approve the minutes of the January 14, 2021 meeting as written. Vice Chairperson Anderson moved that the minutes be approved, Commissioner Parsons seconded the motion, motion passed unanimously.

WORK SESSION

Chairperson Maguire turned the meeting over to Associate City Planner Kiel Jenkins. Mr. Jenkins gave a presentation about the background, current standards, why a more robust code is needed, and how should standards vary in town? Currently Dayton is only able to regulate signs in the Commercial Business Overlay Zone. Dayton also lacks a sign permitting process. Mr. Jenkins recommends that Dayton adopt sign code that sets standards for the entire city, rather than zone by zone.

The presentation continued showing how other cities with historic properties/districts addressed signage in their cities. Some cities address signs by use, some by type of sign, some regulate by zone and some combine aspects of all of these in their code. Mr. Jenkins also discussed the development of a sign permitting process. He opened the floor to comments from the Commissioners.

Commissioner Smurthwaite was concerned that some cities included language that might make the city vulnerable to lawsuits over first amendment free speech rights. He also discussed the Dollar General sign and how Dayton’s code could have addressed the issue before the sign was built.

Chairperson Maguire mentioned that many of the examples of sign code did include disclaimers that the code applied to the design of the sign rather than the content of the sign, as to not impugn the free speech of the sign owner. Commissioner Smurthwaite wanted to make sure that Dayton would not be micromanaging the sign code as to make it overly restrictive for businesses or the schools to have signs for their events. Mr. Jenkins clarified that Dayton currently has no sign code, which was the purpose of the work session. The PC was being charged with recommending best practices, so this is their opportunity to discuss those items. He suggested the Commission first decide how they wanted to regulate signs – by zone? throughout the entire city?

The Commissioners agreed that while zones do tend to dictate the activities that occur in the zone, there is much overlap in zones in Dayton. Mr. Jenkins asked the Commissioners to clarify how they would like to make standards – were people favoring Keizer’s method or Albany’s? Vice Chairperson Anderson was in favor of a

permitting process, and a recognition in the design that there is much overlap in zones and uses in town. She was also concerned with currently existing signs that would become non-conforming and wanted to make sure that there would be a way to enforce the new regulations. Commissioner Parsons favored a city-wide approach to designing the code, with the identification of zones or uses. He mentioned the prior stalled efforts in addressing these issues. Mr. Jenkins clarified that much of the work could be streamlined by selecting a code that seemed to address most of the issues facing Dayton, and discussion about Albany's code ensued.

City Manager Rochelle Roaden mentioned that the City Council is very mindful of signs in general, and specifically interested in sandwich boards. She addressed the issues that lead to the current situation with the kayak business signage and explained that the Council does not wish Dayton to have sandwich board signs all over the sidewalks on weekends and during events the way that other cities have allowed.

Mr. Jenkins said that it is standard to regulate off-site signs – such as yard sale signs or signs in front of one location that are advertising for other businesses- and mentioned that the sandwich board signs are typically only allowed in front of businesses with heavy pedestrian traffic to attract attention. Commissioner Smurthwaite wondered under what circumstances could a business owner, such as a kayak rental location, be allowed to place a sign to direct people to his location. Chairperson Maguire was in favor of a type of conditional use permit that would allow owners to apply for such a sign, and Mr. Jenkins mentioned that there is currently a sign variance process in our code.

Chairperson Maguire polled the Commission to see which of the included example city codes the members favored. Much of the discussion was about Albany's code, and about the need to address zones in town. Mr. Jenkins asked how the Commission felt about having corridors in addition to zones, the Commission agreed that they should be addressed as well.

OTHER BUSINESS

None.

ADJORN

There being no further business, the meeting adjourned at 7:52 p.m.

Respectfully submitted:

APPROVED BY PLANNING COMMISSION on:

By: Cyndi Park Library Director/Planning Coordinator

As Written As Amended